

Attorney Docket No. 030681-333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Young-sin Park et al.

Group Art Unit: 1745

Application No.: 09/987,939

Examiner: CAROL DIANE CHANEY

Filing Date:

November 16, 2001

Confirmation No.: 7923

Title: ANODE THIN FILM FOR LITHIUM SECONDARY BATTERY

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir: Attached please find an executed Terminal Disclaimer in connection with the application identified above. The requisite fee is \$\sum \$55.00 (2814) \bigsepset \$110.00 (1814) \cdot\$ ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due. A check in the amount of \$_\$110.00 is enclosed for the fee due. Charge to credit card. Form PTO-2038 is attached. This paper is submitted in duplicate. Respectfully submitted,

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Date: July 9, 2004

Charles F. Wieland III Registration No, 33,096

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional) 030681-333

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ANODE THIN FILM FOR LITHIUM SECONDARY BATTERY

The owner*, Samsung SDI Co., Ltd. . of percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/118,030 , filed on April 9, 2002 , of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

Signature

July 9, 2004 Date

Charles F. Wieland III, Reg. No. 33,096

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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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